

ESTTA Tracking number: **ESTTA61258**

Filing date: **01/10/2006**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91125615
Party	Plaintiff UNIVERSITY OF SOUTHERN CALIFORNIA
Correspondence Address	SCOTT A. EDELMAN GIBSON DUNN & CRUTCHER, LLP 1801 CALIFORNIA STREET, SUITE 4200 DENVER, CO 80202 sedelman@gibsondunn.com; arobertsonbora@gibsondunn.com
Submission	Plaintiff's Notice of Reliance
Filer's Name	Michael S. Adler, Esq.
Filer's e-mail	pto-cc@gibsondunn.com, madler@gibsondunn.com
Signature	/michael adler/
Date	01/10/2006
Attachments	NOR 19 Redacted.pdf (15 pages)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

UNIVERSITY OF SOUTHERN
CALIFORNIA,

Opposer,

v.

UNIVERSITY OF SOUTH CAROLINA,

Applicant.

Opposition No. 91125615

Serial No. 75/358,031

Mark: **SC (Stylized)**

Filed: September 16, 1997

Published: May 18, 1999

**OPPOSER'S NOTICE OF RELIANCE NO. 19
RELATING TO DOCUMENTS PRODUCED DURING DISCOVERY IN THIS ACTION
AND ADMISSIBLE BY NOTICE OF RELIANCE PURSUANT TO STIPULATION
BETWEEN ALL PARTIES**

[VERSION WITH CONFIDENTIAL PORTIONS REDACTED]

Pursuant to Stipulation Regarding Documents entered into between Opposer the University of Southern California ("Opposer" or "California") and Applicant, the University of South Carolina, ("Applicant" or "Carolina") (collectively "Parties") on or about December 16, 2005, and filed with the Board on December 29, 2005, the Parties have agreed that certain documents produced in discovery in this case may be admitted into evidence by means of a notice of reliance. Specifically, the Parties stipulated as follows with respect to the documents identified below:

Opposer University of Southern California ("California") and University of South Carolina ("Carolina") (collectively "Parties") agree and stipulate that for the purposes of this action, the following documents are authentic and may be admitted into evidence by means of a notice of reliance. The Parties further agree and stipulate that for the purposes of this action these documents shall be considered as business records and/or ancient documents, and the Parties waive any other hearsay objections to the documents *except* that the Parties retain the

right to object to material in such documents that constitutes hearsay within hearsay to the extent that such objections would have been otherwise available.

In accordance with TBMP §§ 704.11 and 705, documents may be made of record in an inter partes proceeding before the Board by stipulation of the parties. Attached as Exhibits 277 through 281, respectively, are true and correct copies of the following documents produced in discovery in this action and stipulated to by the Parties:

Opposer's Exhibit No.	Bates Range	Description
277	OPP 01697	Printout from Lids online retail store depicting University of South Carolina hat with "Old English" stylized "SC" mark
278	OPP 01699	Printout from Lids online retail store depicting University of South Carolina hat with interlocking "SC" mark
279	OPP 01701 – OPP 01702	Printouts from Sports Fan Outlet online retail store depicting University of South Carolina hat with interlocking "SC" mark
280	APP 00845	Top of the World artwork for University of South Carolina hat with "Old English" stylized "SC" mark in Cardinal and Black
281	APP 00838	Zephyr artwork approval form for University of South Carolina hat with "SC" lettering and PMS 201


Opposer hereby gives Notice that it will rely upon these documents. The documents are relevant in this action to demonstrate that Applicant's use of "SC" as a mark is not limited to any single particular stylization (as other universities may be focused on one particular stylization), and that the mark would therefore be perceived by the consuming public as a variant of the "SC"

mark rather than a unique stylization. The documents also refer to various of Applicant's product colors as "cardinal" or "PMS 201."

Dated: January 2, 2006

Respectfully submitted,

GIBSON, DUNN & CRUTCHER, LLP



Scott A. Edelman

Michael S. Adler

2029 Century Park East

Los Angeles, CA 90067-3026

Telephone: (213) 229-7919

Attorneys for Opposer

University of Southern California



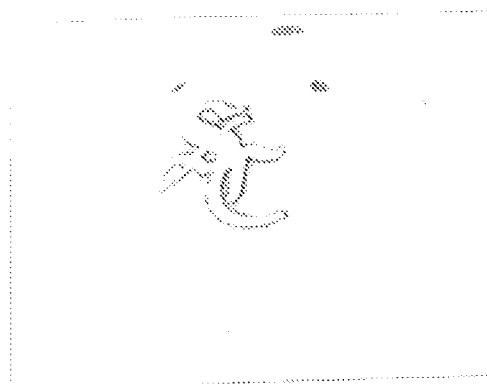
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255

[illegible]

4444

CONCLUSIONS



Keywords: child sexual abuse; disclosure; social support

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.....

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Circle 6 on Reader Service Card

Costas, Miguel
Barriga, Oscar

Structure: 4-point system in
clusters (200-400)

For 1978, with the gender studies program, I completed a 100-page book about the relationship between gender and the body.

know, go to it the World A.C.A. and Fashion Week.

Six One Set One Kat Off

Buy One Get One Half Off
Get 1/2 off the product when you purchase any other Apple product of equal or greater value. This offer is available while supplies last only. Some restrictions.

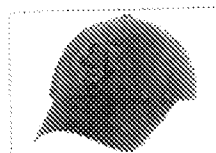
^a Expectations test statistics are set equal to additional time on left purchased in sample run with this model.

Annex 1

- reported that in most cases, even with ground water, it is not
- said in particular, even high up, and when they suggest to a lot of water, it is not
- said in particular, even high up, and when they suggest to a lot of water, it is not

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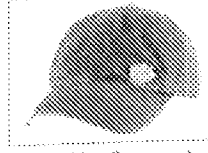
Cross-Sectional Studies



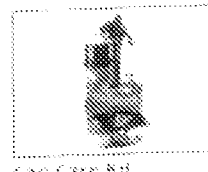
NC&A Personal Notes



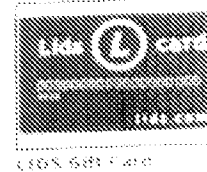
NGAA Old English
Write



Save The Respect Exchange



Cap Core 8.3



00000000000000000000

Answers: 1-5

Opp 0188; Ex. No. 24; Pg. No. 1

7-28283



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Search for products, brands, or teams
Go

South Carolina Gamecocks

South Carolina Gamecocks D1
South Carolina Gamecocks D1 in lids.com

Quantity 1

\$ 7.95

Add to Cart

Save up to 10% on
Buy One Get One Half Off
Free Shipping Outside
the US! Buy a Gift Card
Now... for \$10



Color: Black

Color: Black

Material: 100% Polyester

Structure: Crown Fit
Closure: Snap

Only the best of the best in the world of baseball hats have the perfect fit and easy comfort to enjoy every wear. The new South Carolina Gamecocks D1 in lids.com is the hat that declares your team. The more you wear it the better it feels. The lightweight fabric combines durability with easy cleaning, and the low profile crown and the pre-curved bill make these baseball hats a perfect fit right from the start. Each team's logo is presented in raised embroidery on the crown and the secondary logo is sewn on the back to finish off the style. Durable, Zephyr's original fitted structure with a fitted crown, you don't have to worry about annoying velcro or adjustable straps. These baseball hats are built for easy comfort and style, and the color is amazing.

Shop at Zephyr Graphics D1 in lids.com

Buy One Get One Half Off

Get 50% off this product when you purchase any other item of equal or greater value. The 100% money back guarantee will be refunded. Save today!

Shipping and handling charges do not exceed an additional 10% off of items purchased in combination with this promotion.

Free Shipping

Minimum \$100 on new items and ground shipping is free.

Now you can purchase your new South Carolina Gamecocks D1 in lids.com and have them shipped to you for free. That's right, ship your hats for free and your new hats will arrive in the store in 3-5 business days.

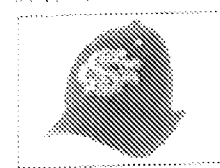
Minimum items purchased at \$100. LIDS 419-5000-0000

Not valid for online purchases.

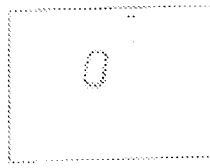
Buy 2 for \$30

Buy 2 of this item and pay only \$30. What a deal!

Other Items



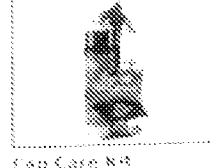
NCAA Defender
\$19.95



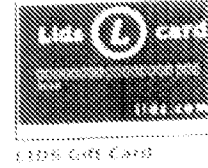
NCAA Defender
\$19.95



NCAA Defender
\$19.95



Cap Case Kit
\$19.95



LIDS Gift Card
\$19.95

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All Matching Items

10940324233



SOUTH CAROLINA GAMECOCKS HARD HAT RETAIL: \$36.95

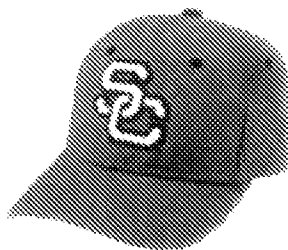
OUR PRICE: \$24.95

Quantity: 1



PRODUCT DESCRIPTION:
It's the real thing! The Stadium Hard Hat is adjustable for head sizes 6.5 to 8. They meet OSHA requirements, meets or exceeds ANSI Z89.1-1986 Class A & B standards, and ANSI Z89.1-1997 Class G & E standards. Other features are: tough lightweight protection, patented shock absorbing suspension, slotted to accept attachments, anti-glare peak. Made by WinCraft. This Item Usually Ships in: 3 to 5 Business Days

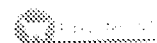
1055-ecar



South Carolina Gamecocks Fitted RETAIL: \$24.95

OUR PRICE: \$19.95

Quantity: 1



Choose a size:

PRODUCT DESCRIPTION:
100% wool sloped fitted cap featuring a raised embroidery on front and COCKS on back. GARNET ***PLEASE ALLOW TWO TO THREE WEEKS FOR DELIVERY***
This Item Usually Ships in: 10 Business Days

sprt-cocks

South Carolina Gamecocks SPORT RETAIL: \$17.95

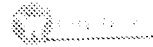
OUR PRICE: \$15.50

Quantity: 1

OPP 01701

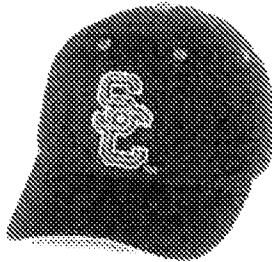
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© 2001 South Carolina

Opposer's
Ex. No. 233 Pg. No. 1



PRODUCT ID: 511-41
 WHITE Cap featuring the COCKS arched over the USC logo. Raised lettering, sandwich tipped visor. Adjustable plastic tab closure.
 This Item Usually Ships in: 10 Business Days

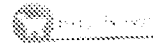
(101-60)



South Carolina Gamecocks RETAIL: \$17.95

OUR PRICE: \$14.95

QUANTITY: 1



PRODUCT ID: 511-41-01
 Low crown, sloped wool cap with raised embroidered logo on the front. Adjustable plastic snap closure. BLACK.
 This Item Usually Ships in: 10 Business Days

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Opposition No. 91125615
 Univ. Southern California v
 Univ. South Carolina

Opposer's
 Ex. No. 231 Pg. No. 2

OPP 01702

7/28/2005

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Entire Exhibit No. 280
CONFIDENTIAL

REDACTED
Entire Exhibit No. 281
CONFIDENTIAL

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **OPPOSER'S NOTICE OF RELIANCE NO. 19 RELATING TO DOCUMENTS PRODUCED DURING DISCOVERY IN THIS ACTION AND ADMISSIBLE BY NOTICE OF RELIANCE PURSUANT TO STIPULATION BETWEEN ALL PARTIES** is being placed in the United States mail, first class, postage pre-paid, on January 12, 2006, addressed to the following:

John C. McElwaine
Liberty Center, Suite 600
151 Meeting Street
Charleston, SC
29401-2239

Attorneys for Applicant University of South Carolina

A copy is being sent by e-mail to JCM@nmrs.com on the same date.


Mandy Robertson-Bora